

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DISTRICT

FILED
JAMES DOMINI
CLERK

04 APR 28 PM 3:28

UNITED STATES OF AMERICA

CASE NO. C-1-01-714

V.

JUDGE WEBER

George J. Fiorini, II

RESPONSE TO PLAINTIFF'S
RESPONSE TO REVOKE BOND
AND DETAIN DEFENDANT

Here comes Defendant George J. Fiorini, II, Affiant being duly sworn,
CLAIM FOR THE TRUTH OF THE OATH IS WITH THE CLAIM OF THE FACTS:

I George J. Fiorini, II, strongly OBJECT to each and every count of indictment specified in counts 1-79 and each and every count listed in the superseding indictment, counts 80-88.

I was granted bond and released May 15, 2003 because of my lifetime history of positive citizenship, my lack of any form or type of criminal history or tendency and the fact that I have never posed any type of danger to the safety of any other person or the community. I have never violated any condition of release or any combination of conditions of release. I have no intent to violate any condition of release or any combination of conditions of release.

I have no intent to flee.

I have no intent to pose a danger to the safety of any other person or the community.

There is no probable cause to believe that I committed a Federal, State, or local felony while on release.

I did not commit any offense while out on bond and on release.

I did not commit any offense prior to being placed on bond.

I OBJECT to the Plaintiffs request that my bond be revoked.

I OBJECT to the Plaintiffs request that I be detained.

I OBJECT to the Plaintiffs abuse of the Court in request of Judge after Judge after Judge after Judge to revoke my bond and detain me for fraudulent charges.

I OBJECT to the Plaintiffs "rebuttable presumption" in which Plaintiff states, "a rebuttable presumption arises that no condition or combination of conditions will assure that the person will not pose a danger to the safety of any other person Or the community." This blanketed statement applies equally to every being on the planet and has no relevance to my moral fiber and behavior.

I OBJECT to the Plaintiffs inference that I might violate section 3142(g) of USC Title 18, that there is "no condition or combination of conditions of release that will assure that the person will not pose a danger to the safety of any other person or the community" or "the person is unlikely to abide by any condition of release."

I OBJECT to the Plaintiff's Motion to Revoke Bond and Detain Defendant based on **100% PURE SPECULATION OF AN OFFENSE !!**

I OBJECT to the Plaintiffs abuse of the Court by creating false and frivolous claims for the purpose of denying my Constitutional Rights to a Speedy Trial.

I OBJECT to the Plaintiffs **UNLAWFUL DENIAL OF MY CONSTITUTIONAL RIGHT TO DUE PROCESS!!**

I OBJECT to the Plaintiffs **UNLAWFUL DENIAL OF MY TESTIMONY!!**

I OBJECT to the Plaintiffs denial of the RIGHTS of the Court and the Grand Jury's benefit to hear my testimony and receive the evidence proving my innocence, again abusing me and clearly proving that the Plaintiff denied my Right of Due Process.

Once due process is denied ALL jurisdiction ceases. (See your very own 5 USC Section 556(d), 557, 706) wherefore any alleged jurisdiction has already been voided by the denial of due process witnessed, documented, and evidenced by the persecution and abuse I have already suffered and accordingly all claims against me **MUST BE DISMISSED!!**

I OBJECT to the Plaintiffs deliberate and intentional acts constituting **SUPPRESSION**

OF EVIDENCE!!

I OBJECT to the Plaintiffs deliberate and intentional acts constituting **OBSTRUCTION OF JUSTICE!!**

I OBJECT to the Plaintiffs perpetual claim of ignorance and avoidance of the law in order to participate in the nefarious activities in violation of the scriptural admonitions presented at **Deuteronomy 19:15-21**, especially since we have an omnipotent **Heavenly Father.**

I George J. Fiorini, II, the subject of a Grand Jury investigation, had a fundamental **DUE PROCESS RIGHT** to testify before the Grand Jury. The **RIGHT** of individuals to testify on their own behalf, prior to being indicted, is an essential ingredient in a fairly functioning Grand Jury and criminal justice system. Without it, the Grand Jury's essential function of arriving at an accurate indictment is undermined because the Jurors may be denied certain evidence.

States are recognizing the fact that a defendant has an **ABSOLUTE RIGHT** to testify before the panel if he chooses and, in addition, he/she may also recommend specific Witness to the Grand Jury. Of noteworthy **FACT** see "The Report of Commission to Reform the Federal Grand Jury."

The National Association of Criminal Defense Lawyers has recognized that the Federal Grand Jury continues to serve as a sword for the prosecutor, but that it has long ceased to perform its historic function as an independent entity acting as a shield to safeguard the citizenry against prosecutorial excess.

A wrongful indictment in itself, regardless of ultimate outcome, remains devastating.

As Justice Kennedy noted in his plurality opinion for the US Supreme Court in *Gentile v. Nevada*, 501 US 1030(1991), "in the time period between indictment and trial, the accused may suffer ruinous consequences to his reputation and employment from which he may never recover even if acquitted."

No Material Fact is in Dispute as plainly evidenced by the Plaintiffs silence standing as

consent to, and tacit approval of, the factual declarations affirmed in my Affidavits and Statements of Facts that herein have now been established as facts as a matter of law. The prolonged devastating harassment's, and defamation's of character that have been wrongfully inflicted upon the Fiorini Family prior to any conviction, and without first hearing and reviewing all relevant facts constitutes misapplication of the judicial system and only serves to undermine the public faith, trust, and confidence in the Judicial system of the United States.

Had the Material Facts and Evidence been reviewed as proper procedure demands, there would in fact be no genuine material fact or issue in dispute and the Plaintiff would have discovered that there was no case or claim against the Injured Party, In fact, quite the contrary.

The Defendant, George J. Fiorini, II and his Family have grounds for insurmountable claims against the Plaintiff for their intentional, malicious, conspiratorial crimes that they have perpetrated against the Fiorini Family.

It stands a proven material fact in this case that John M. DiPuccio, United States Attorney, knowingly and intentionally withheld important evidence from the Grand Jury including exculpatory evidence. Evidence in fact that it was the Grand Jury's obligation to hear, and the Defendants RIGHT that it was heard, resulting in the Plaintiff's blatant acts of **obstruction of justice and denial of due process.**

Multiple crimes have been committed by the Plaintiff, the Prosecutor John M. DiPuccio, in his thirst for a notch in his belt and a promotion, as he recklessly, deceptively, and purposely prevented the Court and the Grand Jury from hearing the true testimony, and seeing, touching, hearing, and feeling all the truthful evidence that they deserved to hear which would, in fact prove to the Jury, Judge, and any reasonably, mentally healthy person the George J. Fiorini, II was in fact **INNOCENT** of each and every allegation and count that has been

fraudulently and criminally perpetrated against the Fiorini Family for the purpose of the Plaintiffs personal enrichment.

The Plaintiffs has "UNCLEAN HANDS" !! Under the "unclean hands" doctrine, a party is barred from relief if he has engaged in any unconscientious conduct directly related to the matter before the court.

(DeRosa V. Transamerica Title Insurance Co. [1989] 213 Cal. App. 3rd 1390, 1395, 262 Cal. Rptr. 370).

Whereas the Defendant/ Affiant, prays of this Court for relief of the continual harassment by the Plaintiff, to revoke bond once and for all, as three prior judges has denied action, referred back to the original finding by Judge Weber or has recused themselves prior to any decision to deny the Motion from the Plaintiff to Detain the Defendant and Revoke his bond.

In addition, the Defendant prays that this Court would dismiss this case in the interest of Law and of Equity.

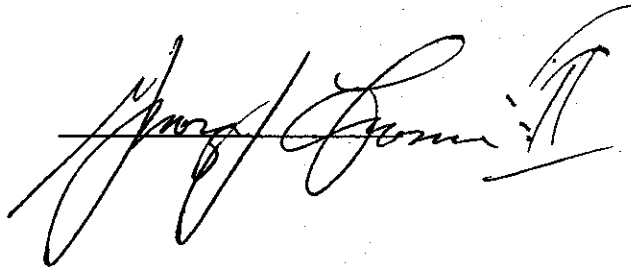
Comes this day, George J. Fiorini, II, acting pro' CE, not an expert in the law, However, I do know right from wrong. If there is any human being damaged by any statements herein, if he will inform me by facts, I will sincerely make every effort to mend my ways. I hereby and herein reserve the right to amend and make amendment to this document as necessary in order that the truth may be ascertained and proceedings justly determined. If the parties given notice by means of this document have information that would controvert and overcome this Affidavit, please advise me IN WRITTEN AFFIDAVIT within ten (10) days from receipt hereof, providing me with your counter affidavit, proving with particularity by stating all requisite actual evidentiary fact and all requisite actual law, and not merely the ultimate facts or conclusions of law, that this Affidavit Statement is substantially and materially false sufficiently to change

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BE IT ACKNOWLEDGED, that George J. Fiorini, II, the
Undersigned deponent, being of legal age, does hereby depose and say
under oath as follows (or as set forth on the signed addendum annexed and
incorporated herein):

Witness my hand under the penalties of perjury this fourteenth day of January 2004.


State of Ohio
County of Hamilton



Then personally appeared

Who acknowledged the forgoing, before me.




Notary Public

My Commission Expires:

HEIDI L. GREER
Notary Public
State of Ohio

My Commission Expires December 19, 2007

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Response to Plaintiffs Response
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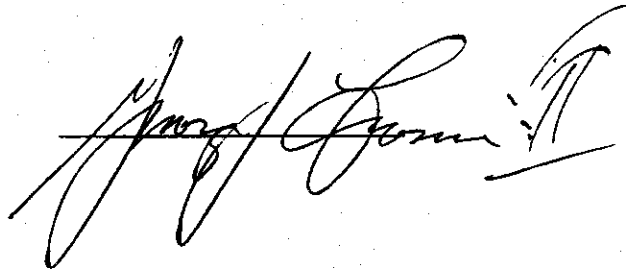
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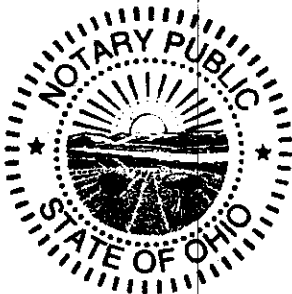
State of Ohio


County of Hamilton



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Notary Public

My Commission Expires:

HEIDI L. GREER
Notary Public
State of Ohio

My Commission Expires December 19, 2007

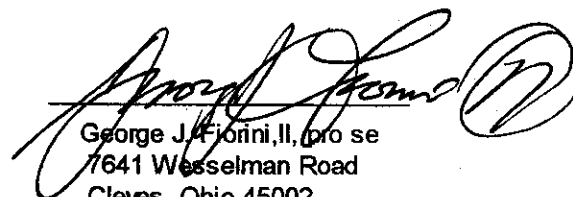
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I hereby certify that a copy of the foregoing has been served upon

Judge Weber and Daniel J. Pieschel this ~~26th~~ day of April 2004.



George J. Fiorini, II, pro se
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Cleveland, Ohio 44102

Ph. (513) 353-9797

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